



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Department of Social Services
<b>Virginia Administrative Code (VAC) citation</b>	22 VAC 40-35
<b>Regulation title</b>	Virginia Independence Program
<b>Action title</b>	Amend the Virginia Independence Program regulation by changing exemptions, work definitions, and creating a new transitional benefit.
<b>Final agency action date</b>	June 20, 2007
<b>Document preparation date</b>	June 20, 2007

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

This regulation amends the Virginia Independence Program in accordance with Chapter 568 of the 2007 Acts of Assembly (Senate Bill 11 33). The State Board of Social Services had no discretion in promulgating this regulation. Senate Bill 1133 was necessitated by federal changes to the Temporary Assistance for Needy Families Program required by the Deficit Reduction Act of 2005.

The definition of work activity is amended to include the activities allowed in federal law and regulation: job search and job readiness, vocational education, job skills training, community service, and certain educational activities. Expanding the definition of work activities will allow greater flexibility in meeting the disparate needs of customers. Expanding activities increases the chances that a customer is placed in an activity that is countable for work participation rate purposes.

Adult recipients of Temporary Assistance for Needy Families (TANF) must participate in the Virginia Initiative for Employment not Welfare (VIEW) Program unless otherwise exempt. The exemption for caring for a young child has been added to the regulation. The age of the child has been changed from 18

months to 12 months. Non-parents must now participate in VIEW. Pregnant women must now participate in VIEW, but activities are limited to job readiness, training, and education.

The regulation establishes a transitional benefit; VIEW participants that end TANF eligibility with employment are eligible for monthly job retention payments for up to one year if they maintain employment an average of 30 hours per week.

The priority order of work assignments is removed to provide greater flexibility for staff and participants.

To provide greater flexibility for participants and staff, work activities have been expanded to include the activities allowed in federal law and regulation: job search and job readiness, vocational education, job skills training, community service, and certain educational activities.

**Statement of final agency action**

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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The State Board of Social Services approved this final exempt action on June 20, 2007.

**Family impact**

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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The changes in the regulation will have a positive effect upon families. The changes in the regulation will require more families to participate in the VIEW program. The program has been extremely successful in assisting families to engage in work and to increase earned income on the way to financial self-sufficiency. More parents will be moved toward self-sufficiency and will assume greater responsibility for themselves and their families. The changes in this regulation will also increase disposable family income.